

CDR Inorganic Byproducts FRNs and Related Materials**FRN: Notice of intent to negotiation**

- Published December 15, 2016
- Notice of the Agency's intent to negotiate and to establish the Committee. Requested public comment and suggestions on the list of significantly affected interests, as well as the list of proposed representatives of those interests.
- Reviews: Workgroup (including OGC and OP), OPPT divisions, OPPT IO, OCSPP IO
- Status: Comment period closed January 17, 2017.

FACA Charter

- Required by statute (FACA, NRA)
- The Charter establishes the Committee, including identifying its official designation; objectives and the scope of its activity; the period of time necessary to carry out its purposes, including the estimated number and frequency of meetings, the termination date, and the estimated annual operating costs; and the agency or official to whom the committee reports, including who is responsible for providing the necessary committee support.
- Reviews: Workgroup (including OGC and OP), OPPT divisions, OPPT IO, OCSPP IO and (previewed draft) FACMD
- Status: Currently in OA, for approval

FACA Committee Membership (and Situation Assessment/Convening Report)

- Required by statute (FACA, NRA)
- The Committee is comprised of representatives of the various interests with a definable stake in the outcome of the proposed requirements. The EPA Administrator will select members carefully to ensure that there is a balanced representation of such interests on the Negotiated Rulemaking Committee. EPA anticipates that the Negotiated Rulemaking Committee will contain representatives from industry, environmental groups, and state, local, and tribal governments.
- The Situation Assessment (a.k.a. Convening Report) identifies the initial issues for negotiation, provides background information from all parties, and proposes committee membership. It is developed by an independent assessor (the facilitators) based on interviews with EPA and parties identified by EPA, as a result of the *Intent to Negotiate FRN* (published in Dec 2016), or by others (e.g., through the interview process). The Situation Assessment is the facilitator's product.
- Reviews: Workgroup (including OGC and OP), OPPT divisions, OPPT IO, OCSPP IO, the parties interviewed, and FACMD (Committee Membership only)
- Status: Currently in OA, for approval

FACA Operating Protocol

- Required by statute (FACA, NRA)
- The Operating Protocol describes the structure, composition, and roles of the Committee; the expectations of Committee members; and how the Committee communicates and makes

decisions. Upon review, revision and approval by the Committee, it will guide and direct the Committee's collaborative efforts.

- Reviews: Workgroup (including OGC and OP), OPPT divisions, OPPT IO, OCSPP IO and the Committee
- Status: Will be finalized at first Committee meeting

FRN: Public meeting (first meeting)

- Published May 5, 2017
- Reviews: Workgroup (including OGC and OP), OPPT divisions, OPPT IO, OCSPP IO
- Meeting date: May 9– 10, 2017
- Status: Meeting materials will be posted on website and docket

FRN: Second public meeting, first FACA meeting

- Target for publication: May 24 (must be published 15 days before FACA meeting)
- Reviews: Workgroup (including OGC and OP), OPPT divisions, OPPT IO, OCSPP IO
- FACA meeting date: planned for June 8 – 9, 2017
- Status: AO needs OCSPP IO sign off (DAA) on committee membership prior to approval. FRN is for AA signature. Package is in OCSPP IO.